



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
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New York, New York 10007

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By Fax

The Honorable Sidney H. Stein
United States District Court
500 Pearl Street, Room 1010
New York, New York 10007

MEMO ENDORSED

Re: United States v. Gilberto Morales & Kevin Wade Nelson,
S6 06 Cr. 518 (SHS)

Dear Judge Stein:

This letter is respectfully submitted, on consent of both defense counsel, to request a 30-day adjournment of the conference scheduled for this afternoon in the above-captioned case. I received a call earlier today from the office of Devereaux Cannick, Esq., Mr. Nelson's counsel, advising me that Mr. Cannick is ill and cannot make it this afternoon. Moreover, I provided discovery to Mr. Cannick last Friday – the day after Mr. Nelson arrived in the district and was arraigned before a magistrate – and I understand that he needs additional time to review it. (Among other things, the discovery includes several wiretaps.) Finally, I have been engaged in discussions with Mr. Morales's counsel regarding a possible disposition of the matter without trial, and those discussions are continuing. For each of these reasons, I believe an adjournment would be appropriate.

In addition, if the request for an adjournment is granted, I would respectfully request that time be excluded for purposes of the Speedy Trial Act from today until the new date. I make the request, with the consent of both defense counsel, in order to allow counsel to review discovery and to permit the parties to continue discussions of possible dispositions without trial. Conf. adjourned from 5/17 until 6/14 at 3:30 p.m. Time excluded pursuant to 18 U.S.C. 3161(h)(6)(A). The ends of justice outweigh the interests of the dep. & the public in a speedy trial.

MICHAEL J. GARCIA
United States Attorney

By:

Jesse M. Furman
Assistant U.S. Attorney
(212) 637-2475

cc (without attachment):

Devereaux L. Cannick, Esq. (by facsimile: 718-803-9764)
Sabrina Schroff, Esq. (by facsimile: 212-625-3939)

5/17/07
To ordered
by Stein
J.S.